

PLACEMENT IN SUITABLE EMPLOYMENT

AUTHORITY

Federal Regulations: CFR 361.48

Rehabilitation Act of 1973 as amended, Section 103

*For the purpose of this manual, use of the terms **must** or **shall** reflect requirements of Federal law or regulation or state law or administrative regulation and must be adhered to strictly.*

PLACEMENT-GENERAL CONCERNS

Job placement refers to those activities that may lead to employment of individuals that is consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. Placement services are provided to eligible consumers in assisting them to prepare for, secure, retain, or regain employment. The placement of individuals must occur in the most integrated setting possible before they can be considered rehabilitated.

Placement is a joint effort among the counselor, consumer, OVR support staff, family, or other representatives and groups that are involved in the individual's rehabilitation. It is not necessary in every case for the counselor to have direct intervention in placement. There are many tools and resources to assist both the consumer and counselor in job placement activities. These include the Vocational Rehabilitation Job Placement Specialists, Community Rehabilitation Programs, PACE, and private vendors. The counselor has the responsibility to ensure that the consumer has the information necessary to make an informed choice regarding the job placement services that are most appropriate in order for them to achieve a successful employment outcome.

CRITERIA FOR DETERMINING SUITABLE EMPLOYMENT

Employment may be considered suitable after the individual has worked at least 90 days and the following minimum conditions are met:

1. The work performed is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. If an individual chooses to enter a vocation considered by the counselor to be

incompatible with the individual's disability, the counselor has the responsibility to advise the individual that the employment would not be suitable. The counselor should document these actions in the case file.

2. The individual has the necessary skills to perform the work.
3. The employment and working conditions will not aggravate the individual's disability or jeopardize the health or safety of others.
4. The individual is able to perform the essential functions of the job as determined by the employer with or without reasonable accommodation.
5. The employment is regular and reasonably permanent, and the individual receives a wage commensurate with that paid other workers for similar work. If not employed full-time, the employment is consistent with the individual's capacity to work.

TYPES OF EMPLOYMENT

Competitive Employment

Competitive employment means work that is performed weekly on a full-time or part-time basis, as determined in each IPE, for which the individual is compensated at or above the minimum wage level. The primary placement objective for most individuals should be jobs with earned income in either the public or private sector, including self-employment.

Self-Employment

Self-employment is a consumer owned business, profession, or trade that sells goods or services for the purpose of making a profit. A self-employed consumer works for themselves for profit or fees, at home or at another work site, controlled by the consumer. Self-employment includes sole proprietorships, partnerships (51% consumer owned), or corporations.

The terms, "home based business" and "home-based employment", have different meanings and are not interchangeable in regard to self-employment:

Home-Based Business

A business, profession or trade is consumer owned, managed and operated out of the consumer's residence. A home-based business is self-employment.

Home-Based Employment

Work performed by a consumer at home for another employer through telecommuting or sub-contracting. Home-based employment is not self-employment.

For further information on self-employment please refer to the Self-Employment section of the Counselor Manual.

Telecommuting

This is work done out of the consumers home for an employer. The individual is on the employer's payroll so this is not considered self-employment.

Homemaker

Homemaker is a viable vocational goal for individuals who require increased skills, rehabilitation technology, or other services to successfully complete the job tasks of that occupation. Homemaking is not restricted to individuals who have functioned only as homemakers in the past. It includes the individual for whom a change in the vocational objective to homemaking is most suitable. It could also include those who live alone, male or female.

Vocational Goal Development and Documentation

Whether homemaker is the original vocational goal in the IPE or the goal is changed later through an IPE amendment, the reason for the selection of the vocational goal must be thoroughly documented, including the consumer's choice and the counselors input. Documentation should include the assessment, which has identified the individual's needs and the services required to achieve a successful outcome.

The following should be documented at IPE development with the goal of homemaker and when amending an IPE from competitive employment to homemaker.

- a. How the individual's disability in conjunction with attendant factors has impacted the individual's ability to successfully complete the tasks associated with homemaking (i.e. food preparation, housekeeping, budgeting, shopping, childcare, etc.)
- b. Vocational assessment information, whether formal or informal. This should include other vocational goals that were considered and why they were not chosen.
- c. The individual's strengths, interests, and abilities, as well as the sufficiency of the individual's financial resources to sustain self and family, when appropriate, as a homemaker.
- d. The services the individual requires in order to successfully meet the demands of homemaking. It is expected practice that the IPE include guidance and counseling and at least one service directly related to homemaking. Services needed by a homemaker may include:

1. Budgeting classes
2. Benefits planning consultation

- 3.Independent living skills training
4. Self-advocacy or assertiveness training
5. Childcare instruction
6. Rehabilitation technology necessary to complete work tasks
7. Nutrition classes
8. Bus training
9. Mental or physical restoration

Homemaker Successful Case Closure

The closure statement for homemaker should include the same types of information as other occupations.

- a. Documentation of why the counselor and the individual jointly believe that there has been adequate adjustment to employment as a homemaker.
- b. How the services provided contributed to the success of employment.
- c. Need for post-employment services.

Unpaid Worker

Individuals may be placed in work enabling them to earn only their keep. In these instances, their salary would be paid in-kind rather than cash. The services performed by the individual may include baby-sitting, attendant care, farm work, etc., and shall add to the income of the work unit.

Job Placement Services

Job Placement Specialists provide services to employers, consumers, and counseling staff, with the mutual goal of assisting the eligible, job-ready consumer in finding suitable employment. The Job Placement Specialist utilizes a marketing approach, which is designed to increase the quantity and quality of placements. Marketing is an on-going continuous approach that enables OVR to determine the needs of employers and how we can best assist them in meeting those needs. The goal is to develop long-term employer relationships and improve employer satisfaction, resulting in increased employment opportunities for people with disabilities.

A referral to the Job Placement Specialist for job placement assistance, PACE services, and other appropriate services should be considered in most cases. Consumers nearing completion of academic or vocational/technical training programs should be referred for employment assistance in advance of their completion date. Counselors are encouraged to refer all job ready consumers to the Job Placement staff in order for them to develop and maintain a qualified applicant pool, which will assist in the timely referral of applicants for job openings.

Counselors are to complete a job placement referral form, enclosing pertinent information related to individual's skills, interests, and abilities. Also include

any pertinent medical or vocational testing information that would assist the JP staff in exploring appropriate employment opportunities. Upon receipt of the referral, the JP staff will contact the job ready consumer for an assessment of job seeking skills.

Job Placement Documentation

Documentation provided by the Job Placement staff is an essential element of the case file. It is very important to the counselor to keep the case up to date while the individual is receiving job placement services. The documentation provided by the job placement staff to the counselor facilitates the teamwork required for the consumer to have the maximum benefit of all the services we have to offer.

Documentation should be done so that a third party, totally unfamiliar with the case, can promptly and easily see what is happening with the case. Generally we consider the progress notes as this documentation. Notes should include a summary of contacts, indicate services rendered, denote problem areas, collaboration with other professionals, agencies, etc. Notes can be an overview capturing the content of a session or event. For initial meetings, some staff have found a structured form with key questions to be helpful. All progress notes should be initialed or signed.

An entry in the case notes will give the job placement staff credit for the many services rendered. Much hard work and effort is often not reflected in the case due to a lack of documentation. Notes should be kept as objective and factual as possible. Each case is a legal document that potentially could be examined in a court of law. Therefore, e-mail documentation should be signed with the staff's full name and title or an automatic signature. Judgmental statements, labels, innuendoes, etc. should never be included in the progress notes. The best practice is that progress notes should be written so that the content, if read by the consumer, would not cause harm.

Documentation by Job Placement staff should reflect at a minimum the following elements:

1. Date of counselor referral
2. Date of initial meeting
3. Counselor referral information
4. Initial contact progress note
5. Progress notes regarding all on-going contacts
6. Job development contacts with employers
7. Job seeking classes
8. Resource Lab participation

9. Job fair participation
10. Correspondence in job search
11. Job Interview preparation
12. Completion of resume
13. Evidence of continued clear communication of progress to the counselor
14. Completed resume- if appropriate
15. Signed release
16. Employment info including start date, place of employment, job title, wages and benefits
17. Follow up contacts at 30, 60 and 90 days
18. Notification of employment and 90 days to the counselor
19. Final Report

Job Placement Case Records

Most of the documentation that is kept in a PACE/Job Placement file should be a duplicate as Counselors are being sent copies of all records kept by PACE/Job Placement staff on a regular basis. It is best practice for the PACE/Job Placement staff to maintain their records for a minimum of one year after closure from PACE/Job Placement. The file should then be turned over to the Counselor so that these documents can be made part of the permanent case record and handled in accordance with the agency record retention policy which is mandated for all case files. Documents that must be in the case record for PACE participants include:

- Employers Agreement for Training Slots
- Employers Training Site Evaluations
- Release of Information
- Employment Eligibility Verification (I-9) with copies of identification
- Agreement of Understanding
- PACE Timesheets

Services Provided to Consumers and Counselors by Job Placement Specialists:

- Develop placement strategies for job-ready consumers. This may include assisting the Counselor in the development and writing of *On-

the-Job training contracts or the development of **PACE sites as needed.

*Policies and procedures for On-the-Job training may be found in the Training section of the CM and in the Office's Administrative Regulation 781 KAR 1:020, Section 22 (2).

** Policies and procedures for PACE services may be found in the CM section on PACE.

- Provide PACE services to include orientation, slot development and placement, job placement and follow up services to PACE participants.
- Provide information and assistance with potential job referral sources.
- Provide labor market information to include local job availability and future employment trends for counselor planning purposes.
- Prescreen consumers to determine their level of job readiness and to make appropriate recommendations as needed.
- Provide employability skills training for consumers based on individual needs. This includes assistance in developing resumes, preparing for job interviews, dress and grooming, developing job search strategies, etc.
- Develop public relations and agency awareness activities within the community. This may include speaking engagements, seminars, Job Fairs, television/radio interviews, Job Placement Month, display booths, etc.

The Job Placement Specialists offer an array of services to employers. Often as a representative of the agency the JP staff acts as a liaison between other OVR staff and employers to coordinate necessary services insuring that the employer's needs are met.

Services Provided to Employers by Job Placement Specialists:

- Assist in arranging accessibility surveys and job analysis to be provided by appropriate OVR staff when requested by the employers.
- Assist in the area of reasonable accommodation. Reasonable accommodation is an adjustment made to a job or work environment that enables a qualified person with a disability to perform the essential functions of that position. This may include referral and coordination with rehabilitation technology staff for appropriate job modification and job restructuring.
- Provide information and technical assistance with regard to the Work Opportunity Tax Credit (WOTC) program and other employment incentives. WOTC is an elective federal tax credit available to

employers that hire individuals with disabilities. The Job Placement Specialist can assist with completing and processing the required documentation for WOTC certification.

- Provide disability awareness training upon request. The purpose of awareness training is to increase the public understanding of limitations imposed on the hiring and advancement of persons with disabilities due to a lack of knowledge, misinformation, and myths that have developed with regard to persons with disabilities.
- Assist employers in the retention of their valued employees who become disabled within the scope of employment. This may include vocational assessment or reasonable accommodation assistance.
- Prescreening of applicants based on the essential functions of the job. Employers are encouraged to contact the Job Placement Specialist or Rehabilitation staff for qualified applicants who have undergone extensive vocational assessment and screening processes.
- In conjunction with the counselor provide on site job coach and support services including follow-up services.
- Provide technical assistance and resources in reference to the Americans with Disabilities Act.

POTENTIAL SOURCES OF EMPLOYMENT INFORMATION

Web Sites (See OVR Intranet Valuable Links: Employment)

Relatives and friends

Previous employers

State employment service

Newspaper want ads

Trade journal want ads

Phone book (yellow pages)

Industrial Directory

Labor Union or professional organization

Chamber of Commerce

Service Clubs

Fraternal organizations

Civil Service Commission (Local, State, Federal)

School placement offices

Church affiliations

Newspaper articles about new businesses or expansion

Known employers of persons with disabilities

Business and occupational directories

OVR's Job Placement Specialists

Community Rehabilitation Programs
Recipients of Project with Industry Grants